

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### PERSONAL EXPLANATION

Mr. CONYERS. Mr. Speaker, on October 15, 2009, I was unable to cast votes, due to personal reasons. I was not present for rollcall votes 788 and 789. Had I been present, I would have cast a "nay" vote on the motion to recommit H.R. 2442 and I would have voted "yea" on final passage of H.R. 2442, the Bay Area Regional Water Recycling Program Expansion Act of 2009.

#### PERSONAL EXPLANATION

Mr. BOYD. Mr. Speaker, due to personal reasons, I was unable to attend to votes this week. Had I been present, my votes would have been as follows: "Yea" on H. Res. 800; "yea" on H.R. 2892; "yea" on H.R. 2423; and "yea" on H.R. 2442.

#### LEGISLATIVE PROGRAM

(Mr. MCCARTHY of California asked and was given permission to address the House for 1 minute.)

Mr. MCCARTHY of California. Mr. Speaker, I yield to the gentleman from Maryland, the majority leader, for the purpose of announcing next week's schedule.

Mr. HOYER. I thank the gentleman for yielding.

On Monday, the House will not be in session. On Tuesday, the House will meet at 12:30 p.m. for morning-hour debate and 2 p.m. for legislative business with votes postponed until 6:30 p.m. On Wednesday and Thursday, the House will meet at 10 a.m. for legislative business, and on Friday, the House will meet at 9 a.m. for legislative business.

We will consider several bills under suspension of the rules. The complete list of suspension bills, as is the custom, will be announced by the close of business tomorrow.

In addition, we will consider H.R. 3585, the Solar Technology and Roadmap Act of 2010, sponsored by GABRIELLE GIFFORDS, and H.R. 3619, the Coast Guard Authorization Act of 2010. In addition, we may consider Senate amendments to the House unemployment extension legislation, assuming that is passed by the Senate.

Mr. MCCARTHY of California. Reclaiming my time, I thank the majority leader for that information. And knowing from time to time we do this, in watching the colloquy that you do with our whip, Mr. CANTOR, I know last week you told him not to expect the health care bill on the floor until the last week in October at the earliest.

Do you still think this is the case, the last week of October?

Mr. HOYER. I certainly think it's the case not to expect it before the last week in October.

As I've indicated in the past, we intend to give 72 hours' notice of having

the bill posted for the public and for Members prior to bringing it to the floor. We are still working to bring that bill to a point where CBO can give us a final score. We believe CBO is going to take probably a week to maybe a little longer than a week. So it certainly would not be before the last week in October, and it may well be the first week in November.

Mr. MCCARTHY of California. I thank the gentleman.

I just want to make sure I heard correctly. You will wait until the bill is scored and you will allow 72 hours for the public to also be able to view and read the bill; is that correct?

Mr. HOYER. We will wait 72 hours until after the bill is posted. Now, I don't think I said that that necessarily will be after the scoring. But essentially, we don't think we're going to post the bill until the scoring. If, however, for some reason there was somewhat of a delay in scoring but we had the majority of it and posted the bill, the 72 hours will run from the posting of the bill.

In addition, Mr. MCCARTHY, what I indicated last week, and we still will hold to, if there is a manager's amendment, as there may well be, we will also assure that there is 72 hours from the posting of the manager's amendment. Now, if the manager's amendment and the bill are posted at the same time, obviously that would be the same 72 hours. If, on the other hand, the manager's amendment is posted a day or so later, then the 72 hours would run from the posting of the manager's amendment.

It is our intent to make sure that everybody has 72 hours to review whatever legislation and/or amendments will be considered on the floor.

Mr. MCCARTHY of California. I thank the gentleman for that.

The only thing I would follow up to that and ask, knowing some of the behavior on some of the other bills and some of the concerns that people had of when they were posted—some posted at 3 o'clock in the morning when the Rules Committee filed when it came to Energy and Commerce and the cap-and-trade bill—when you count the 72 hours, would this be like business hours? Like, if it's late into the night, can we wait until the morning so people will have the ability to start the clock?

I yield to the gentleman.

Mr. HOYER. We're not going to do 72 business hours. We're going to do 72 hours. We're going to have the full 3 days if people want to read the bill. If they want to read it at night, they can do that. If they want to read it on Saturday or Sunday, they can do that.

But it was a good try.

Mr. MCCARTHY of California. I'll just ask the gentleman, knowing the size that this bill will be, one, to make sure that we have a scoring; two, the amount that the American public has been engaged in this process from the town hall meetings that many people

have had and the knowledge of what they have in going forward and knowing the changes that have been talked about; but three, not from a Republican side or Democrat side, but truly, when I sat and listened to the town hall meetings, one of the frustrations they had with this House—I know people think process is wrong—is the transparency. And I applaud you for telling us the 72 hours. I would just ask the majority to be cognizant of what happens if you start the clock at 5 o'clock in the morning, you start the clock at 3 o'clock in the morning, the public has a real concern about that, and we would as well.

Mr. HOYER. Will the gentleman yield?

Mr. MCCARTHY of California. Gladly.

Mr. HOYER. I appreciate what the gentleman has said; however, the gentleman, I am sure understands, the overwhelming majority of this bill will have been on the Web site since July.

□ 1645

The overwhelming majority of this bill, it's going to be a new bill and will have a new number, but this has been probably the most transparent, reviewed bill in the 29 years that I have been in the House of Representatives, I will tell my friend. As you know, we've been working between the House and the Senate. I've had discussions with Mr. CANTOR and others on your side. We haven't reached any agreement, as the gentleman knows. I'm sorry about that. But I want to say in all honesty, I can't remember a bill in my 29 years in the House of Representatives that has had more review, more discussion, more people involved in town meetings around this country, more discussion in the media, and has been longer on the Internet for review from beginning to end than this particular piece of legislation.

So I think when we talk about transparency, this bill has probably been the most transparently considered bill that I have been involved in in my tenure here.

I thank the gentleman for yielding.

Mr. MCCARTHY of California. I thank the gentleman.

I do agree with the gentleman that the public has been very aware of this bill. The gentleman is saying that the majority of this bill is going to be the same as H.R. 3200, but you may change the number, and knowing that the public has—

Mr. HOYER. Will the gentleman yield?

Mr. MCCARTHY of California. I yield.

Mr. HOYER. I want to be accurate, and I want to characterize it as I did characterize it. Clearly, many of the proposals that came out of the Ways and Means Committee, the Energy and Commerce Committee and the Education and Labor Committee will be very much alike, or similar to, what will be in the bill that is put together

from those three committees. I think that would not come as a surprise to anybody.

Will there be, as we put these together, some changes perhaps from what was in the original three bills? There may be. My point was, and I think it is valid, is that the overwhelming majority of the proposals that will ultimately end up either in the Senate or the House bill have been available to the public for a long period of time, either in the HELP bill out of the Health, Education, Labor and Pension Committee of the Senate, or in the Senate Finance Committee, of course, has been a shorter time because they have just completed their work. But it is certainly not going to be H.R. 3200; it will be an amalgam, and it will have incorporated many of the additional thoughts and comments that we've received from the public during the month of August, September and frankly since July.

I thank the gentleman for yielding.

Mr. MCCARTHY of California. I thank the gentleman.

The gentleman talks about the three committees, Ways and Means, the Energy and Commerce and the Education and Labor, and that bill that they took up was 3200. And you say there might be some other debate. Just to remind the gentleman, that bill didn't take effect, the actions within health care, until 2014, but the taxes and the Medicare cuts took effect next year. So I just want to stress the point that we have 72 hours in making sure, in business time, that people can see it.

The gentleman says it is going to change, and you have public out there, and the public has knowledge of H.R. 3200, that they can be able to see whatever changes. So very cognizant of not being someone running the clock late at night while people are sleeping, I understand time difference. I come from California. But the most open transparency we could would really be one that would bring respect back to this House.

I thank the gentleman for talking about that.

I do have another thing I would like to talk to the gentleman about. You always hear rumors. That's what's nice to have this colloquy, to try to make sure we get them, if they are right or if they are wrong. I have heard rumors during the week of a plan to attach that D.C. voting bill that we all know about to the Department of Defense appropriation conference report. That would be of concern to me because it would be showing a propensity to use our men and women in uniform to carry controversial legislation, much like a debate we had last week. So my question to you is, when do you expect this conference report to come to the floor?

And the second part would be, will it include the D.C. voting bill as rumored?

I yield to the gentleman.

Mr. HOYER. I can't tell you when it will come to the floor. As you know,

the Senate just passed it recently, the latter part of last week or the beginning of this week, I think, and we have not appointed conferees. So I can't give you the answer, really, to either question, because we don't have conferees appointed as it relates to the D.C. bill, as you know.

We have talked about the Defense bill. We have an Armed Forces. The Armed Forces is dedicated to the defense of freedom and the preservation of democracy. We have lost over 4,500 troops in Iraq. The people of Baghdad can elect members of their parliament today because our young men and women, and some not so young, fought, and too many died so that the people of Baghdad could elect a voting member of their parliament.

It is somewhat ironic that in the symbol of democracy around the world, that our fellow citizens, some 600,000 of them, don't have a voting representative in their parliament, the House of Representatives, the people's House. I think that's an egregious undermining of the principles for which our men and women fight, for which we stand and to which we have pledged support of our Constitution. Now whether or not that will be included in the Defense bill, it is about democracy. It is about participation. It is about respect.

I will tell my friend, I don't know whether that's going to be. I've heard some discussion about that myself. But whether it is or not, I will tell my friend that I will continue to fight as hard as I can to try to figure out how I can bring that bill to the floor, get it to a vote, and give the people of the District of Columbia, our fellow citizens, the right to vote as the citizens in Baghdad can do, the citizens in Moscow can do, the citizens in every free country in the world except the United States of America, can do. I think that's a blot on our democracy. I would hope that we would erase that blot as soon as we can in any way that we can.

I yield back to the gentleman and thank him for yielding.

Mr. MCCARTHY of California. I thank the gentleman for his passion and the answer, but should I take it that that is still a possibility, then?

Mr. HOYER. Most things are possible.

Mr. MCCARTHY of California. One thing I would offer to the gentleman, the passion which you started speaking when you talked about the troops, I will never question your passion for the troops. I haven't been in this House long. This is my third year. When I come into this building, I still get goose bumps. I know we have our philosophical differences. I think they are constructive. I think debates are constructive. But the one thing I firmly believe, when we talk about the Department of Defense, when we talk about the fact that we have men and women in harm's way, we should never play politics with it.

I will make this pledge to you. When you talk Department of Defense and

you talk about funding supplementals and others, I won't come here as a Republican, I will come here as an American. And the more ability that we have to not put anything within that, I would guarantee you, you would have a much greater ability to work together to make sure our men and women have whatever they need to carry out whatever mission.

Mr. HOYER. Will my friend yield?

Mr. MCCARTHY of California. Gladly.

Mr. HOYER. I appreciate that representation. I pose a question to my friend.

Would he help me bring the District of Columbia bill to the floor as a clean bill on the question of whether the citizens of the District of Columbia's representative ought to be able to vote as every one of us can on this floor?

Mr. MCCARTHY of California. If the gentleman from across the way in the majority would ever let me have the gavel, I will guarantee you, I could bring a lot of bills to the floor.

Mr. HOYER. That was not an answer to my question, I respectfully suggest to you. It was a serious question.

The reason the hate crime bill was on the armed services bill, which it shouldn't have been, it was because we couldn't get 60 votes to bring it up on the floor, notwithstanding the fact that the majority of the Senate and the majority of the House supported that bill.

The gentleman talks, very persuasively in my view, about bringing up bills in the proper order. The problem is, very frankly, we don't have the Interior bill this week and we don't have some other bills because frankly we can't get 60 votes to consider them on the floor of the United States Senate. I think that is lamentable. It's also unfortunate.

Mr. MCCARTHY of California. I would add to the gentleman, I know you know numbers. You got elected majority leader. You have more than 218. There's 178 on this side. You have the power I never had when we were here to schedule this floor at any time. You have the power to schedule this floor. You have the power to move forward. When I asked you about at the very beginning as we talk about our troops, let's make sure we have a very clean bill is the desire on this side of the aisle.

Mr. HOYER. Again, if you will yield, what I was responding to is your observation about a clean bill. My response was, would the gentleman work with me to perhaps get both of our sides to vote on a rule that provides for a clean consideration of whether or not the representative of 600,000 of our fellow citizens who live in the capital of the United States of America, the symbol of democracy throughout the world, but who do not have a voting representative, would my friend help me do that? Because I haven't been able to do it. With all that power you think I have and with the gavel that you think we have, we haven't been able to that.

Would you help me do that?

Mr. MCCARTHY of California. To the gentleman, I will always help you work because you explain to me each and every day, and you show us each and every day from the committee to the bill we took up today on the floor when it came up about water. You have the power of the Rules Committee. If you can guarantee me that it's an open rule when it comes to the floor and has open debate, the idea that the Founding Fathers, the idea that the dome of this Capitol, it's the second dome, when did they start building it? During the Civil War, not even knowing if this country would come together. But the idea that the power of this floor, that the idea would be able to work—

Mr. HOYER. Do you know who helped build this dome? Slaves. We thought that was wrong.

Mr. MCCARTHY of California. The only person who could actually put the very top together was a slave, because we bought it from the French, and they wanted more money to put the directions together. A slave sat inside and put that monument together. And that's what this body was built on.

I yield to the gentleman.

Mr. HOYER. My comment is a very simple question, and you wanted to have an open rule.

Mr. MCCARTHY of California. I want an open rule. Is that unfair? We just talked about transparency, sir.

Mr. HOYER. I'm talking about the Defense bill and your concern about D.C. vote being added to the Defense bill. My retort to you, because you wanted the Defense bill clean to deal just with the subject matter of defense. That's as I took your question. My response to you was, I think that's a good point.

Would you help me, then, do the same for the D.C. bill, which also stands for democracy, clean, not obstructed by issues which are obviously very controversial, which are not consistent with considering simply the very simple, straightforward question, do the 600,000 citizens of the District of Columbia, American citizens, our neighbors, have the right as our citizens have, of having us have a vote that counts on the floor of the House of Representatives? That's all I was responding to.

Mr. MCCARTHY of California. And I was telling you, I will be more than glad to help you as long as it is a clean bill, that you have an open rule, the way the American public believes this floor is supposed to be run, that people could have power of the idea, could actually raise an issue and raise a debate.

I thank the gentleman for the colloquy. But the one thing I would like to lead in with is the last couple of questions. This week the House overwhelmingly voted for the BARNEY FRANK-authored Iran Sanctions Enabling Act. I know you put out a press release about the strong message to Tehran that unless it abides by its international norms, its economic iso-

lation will continue. On the same day we passed the Frank bill, news reports from Moscow indicated that Russia has no stomach for further sanctions against Iran.

Given your praise for the Frank bill and the fact that Russia feels unwilling to go along with new sanctions, is it your intention not to consider Chairman HOWARD BERMAN's Iran sanctions bill this year?

Mr. HOYER. I expect to consider it. The chairman has announced that he expects to consider that, not next week but the week after. I have told the chairman, as I told Mr. CANTOR last week, that I expect to bring it to the floor shortly after it's passed out of committee.

Mr. MCCARTHY of California. So should I assume by the end of October, or am I missing something?

Mr. HOYER. He says not next week but the week after. And whenever he passes it, I will bring it out shortly thereafter. So it could either be the last of October or the very first few days of November. So in 2 or 3 weeks at the outside.

Mr. MCCARTHY of California. Let me make sure I hear you correctly. The committee says, the chairman, it will pass out within the next 2 weeks approximately. And your pledge to the committee chairman was to bring it to the floor directly afterwards within that week?

I yield.

□ 1700

Mr. HOYER. I don't know whether I made a pledge. I am very much for this. I am a cosponsor of that. I want to pass it as soon as possible.

It's been the chairman's judgment as to when to bring it up. He is going to bring it up, and I am going to bring it as soon thereafter as is practical, which I suspect to be a matter of days. But if he passes it on Thursday and if we are not scheduled to be here on a Friday, I don't know that I will schedule Friday; we may pass it Tuesday, but I expect to pass it very shortly after it passes out of committee.

Mr. MCCARTHY of California. I will make this pledge: I know you asked me for help. I will help you with this bill, too.

Mr. HOYER. This bill, frankly, with all due respect, your help would be nice, but not needed. It's the other bill I need your help on.

Mr. MCCARTHY of California. Well, I thought that I would put that offer out there to you. When you bring it, I will be there to help you.

I thank the gentleman for his time.

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Mr. HOYER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 11 a.m. tomorrow; and, further, when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Tuesday, October 20, 2009, for morning-hour debate.

The SPEAKER pro tempore (Mr. KRATOVL). Is there objection to the request of the gentleman from Maryland? There was no objection.

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(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to recognize the outstanding organization, Hands on Miami, for continuing to make south Florida a better place.

Hands on Miami is a unique community service organization created in 1993 that offers opportunities for all to become involved. This year, Hands on Miami will host Miami Day in conjunction with Miami-Dade College on November 7.

Since 1995, Hands on Miami has brought together residents from all over to improve our neighborhoods. It started with 800 volunteers and is now over 4,000 volunteers. They have partnered with United Way, schools and businesses. Ten years ago, Hands on Miami began the innovative Family Volunteer Program to encourage families to participate together in community service events.

As a wife and a mother, I know what a positive impact this effort can have by instilling the values of service at a young age. Let's all sign up for Hands on Miami on Saturday, November 7.

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(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, we must improve health care affordability, access, quality and choice. We must not, however, pass a sweeping government takeover of health care.

We should just fix what is broken. Medical liability and defensive medicine costs are broken.

Mr. Speaker, we need tort reform. The economic and professional consequences of medical liability lawsuits are driving the practice of defensive medicine.

Here are the facts: medical liability premiums in the United States have reached \$26 billion a year. The average award is \$4.7 million. More than 93 percent of Pennsylvania physicians reported engaging in defensive medicine.

I have cosponsored H.R. 3400, the Empowering Patients First Act, that provides tort reform. There will be no limit to actual economic damages to the patient. There would be a limitation on punitive damages, and they would be determined by a special health care panel that would have judges with health care expertise.

I urge my colleagues to support H.R. 3400 for a first step towards real health care reform.